

**REMARKS**

Claims 1-20 were pending when last examined. With this Response, Applicants cancel Claims 4, 5, 9, 10, 14, 15, 19, and 20 without prejudice or disclaimer, and amend Claims 1, 6, 11, and 16. All pending claims are shown in the detailed listing above.

**Double Patenting**

Claims 1, 6, 11, and 16 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4, 7, and 10 of U.S. Patent No. 6,567,813. The Examiner states, "Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitation of the communicating employing a secure protocol on a dedicated network is an obvious modification. Distributed and parallel computing environments frequently employ logical processes on separate nodes communicating over a dedicated network and communications via a secure protocol is well known in the art to ensure information is transmitted securely."

The Applicants submit a Terminal Disclaimer herewith. As such, the Applicants respectfully request the Examiner to withdraw the obviousness-type double patenting rejection.

Furthermore, Claims 1, 6, 11, and 16 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5, 9, and 13 of copending Application No. 09/752,376, claims 1, 7, 13, and 19 of copending Application No. 09/751,595, and claims 1, 5, 9, and 13 of copending Application No. 09/751,519. The Examiner states, "Although the conflicting claims are not identical, they are not patentably distinct from each other because employing a secure protocol on a dedicated network is an obvious modification. Distributed and parallel computing environments frequently employ logical processes on separate nodes communicating over a dedicated network and communications via a secure protocol is well known in the art to ensure information is transmitted securely."

Applicants respectfully request that this rejection be held in abeyance because the presently conflicting claims have not yet been patented.

### **Specification**

The Examiner objects to the abstract of the disclosure. According to the Examiner, “The abstract makes no reference to claimed subject matter. In particular, the claimed subject matter is related to partitioning collaboration functions into subfunctions and communicating amongst the sub functions securely. The abstract appears to be directed to a fault-tolerant collaborative computer system.”

In response, Applicants have amended the abstract. Applicants respectfully request the Examiner to withdraw the objection to the abstract.

### **Drawings**

The drawings are objected to under 37 CFR § 1.83(a). The Examiner states, “The drawings must show every feature of the invention specified in the claims. Therefore, the secure protocol, encryption, compression, and TCP/IP messages employing a proprietary message syntax must be shown or the feature(s) canceled from the claim(s).”

Applicants have amended FIG. 2B of the drawings (as shown in red highlight in the attached replacement page) and accompanying description to include an item 232 which is a secure protocol with encryption and compression. Furthermore, Applicants have cancelled Claims 4, 5, 9, 10, 14, 15, 19, and 20. Accordingly, Applicants respectfully request the Examiner to withdraw the objection to the drawings.

### **Claim Objections**

Claims 4, 9, 14, and 19 stand objected to because of asserted informalities. According to the Examiner, “Claim is made to a TCP/IP message that employs a proprietary

message syntax. This is a contradiction. A TCP/IP message has a well-defined message format that does not employ proprietary message formats for data communication.”

As mentioned above, Applicants have cancelled Claims 4, 9, 14, and 19, thereby rendering moot any objection to these claims.

Furthermore, Applicants have amended Claims 1, 6, 11, and 16 to correct a minor informality in spelling.

**Claim Rejections – 35 USC § 112**

Claims 1-20 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner states, “The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.”

Applicants have cancelled Claims 4, 5, 9, 10, 14, 15, 19, and 20, thereby rendering moot any rejection of these claims.

With regard to Claims 1-3, 6-8, 11-13, and 16-18, Applicants have amended the Specification and Drawings to include description for various claimed features, in particular, secure protocol, encryption, and compression. Support for these amendments comes from the claims themselves as well as what is understood to one of ordinary skill in the art. Applicants respectfully submit that these claims are enabled by this disclosure. As such, Applicants respectfully request the Examiner to withdraw the rejection of Claims 1-3, 6-8, 11-13, and 16-18 under 35 U.S.C. § 112, first paragraph.

**Claim Rejections – 35 USC § 103**

Claims 1, 4, 6, 9, 11, 14, 16, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy et al. (6,185,695). Applicants respectfully traverse.

Claims 4, 9, 14, and 19 have been cancelled, thereby rendering moot any rejection of these claims.

As for the remaining claims, independent Claim 1 recites, *inter alia*, “A method of distributed collaborative computing comprising: partitioning a collaboration function into sub-functions....” According to the Examiner, “As per claim 1, Murphy teaches a distributed system (collaborative computing environmental) comprising: partitioning a collaboration function into sub-functions (kernel and user domains; col. 3, lines 54-62);....” Applicants respectfully disagree.

The portion from Murphy et al. cited by the Examiner do not disclose or teach anything about collaborative computing or a collaboration function. Indeed, Murphy et al. does not have anything about collaboration whatsoever. Instead, Murphy et al. is directed to “a method and an apparatus that facilitates transparent failovers from a primary copy of an object on a first server to a secondary copy of the object on a second server when the first server fails, or otherwise becomes unresponsive.” See Abstract. As such, Claim 1 is not rendered obvious by Murphy et al.

Similarly, each of independent Claims 6, 11, and 16 also recite, *inter alia*, “partitioning a collaboration function into sub-functions....” This is simply not taught or suggested by Murphy et al. Accordingly, Claims 6, 11, and 16 are also not rendered obvious by Murphy et al.

For at least the reasons discussed above, Applicants respectfully request that the rejection of Claims 1, 6, 11, and 16 under 35 U.S.C. § 103(a) be withdrawn and these claims be allowed.

**CONCLUSION**

Applicants respectfully request that the pending claims be allowed and the case passed to issue. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-1200.

EXPRESS MAIL LABEL NO.:  
EV 305 258 347 US

Respectfully submitted,

By:



---

Philip W. Woo  
Attorney of Record  
Registration No. 39,880  
PWW/rp

July 19, 2004

SIDLEY AUSTIN BROWN & WOOD LLP  
555 California Street, Suite 5000  
San Francisco, CA 94104-1715  
(415) 772-7200

2/27

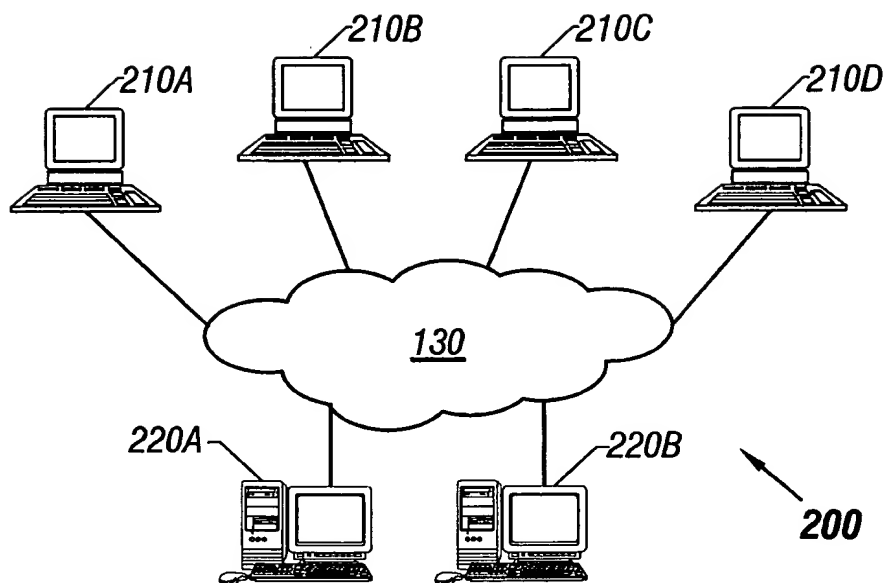


FIG. 2A

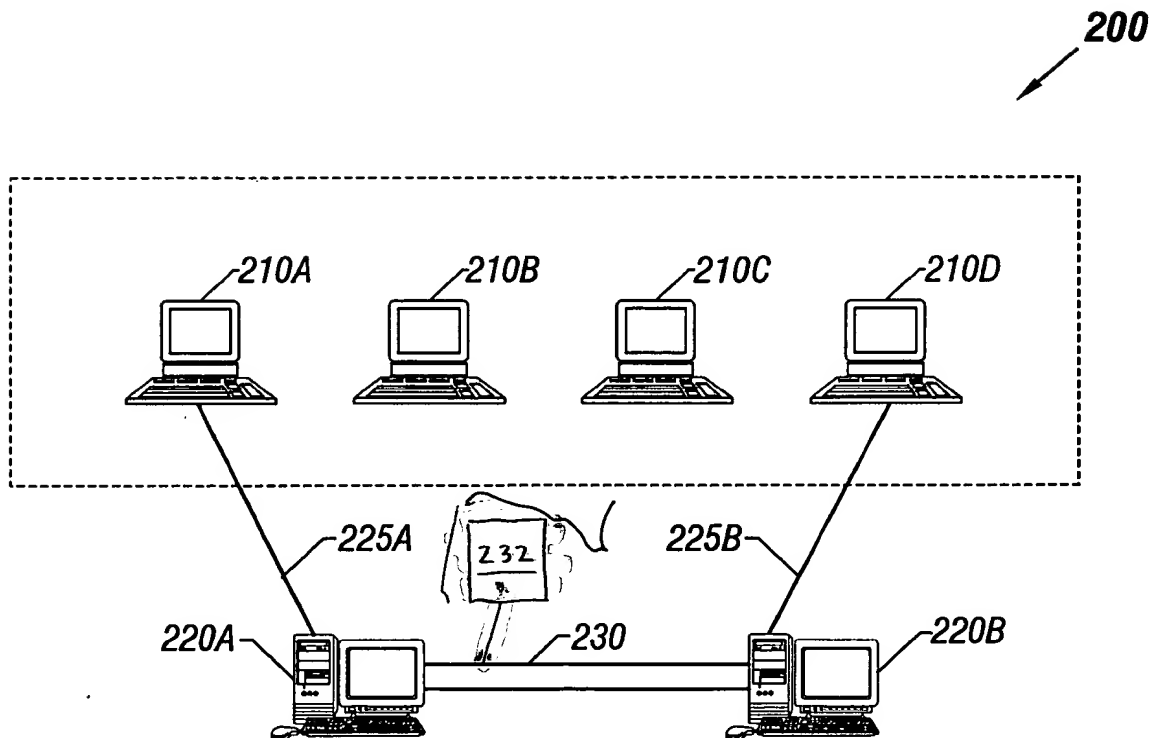


FIG. 2B